

REMARKS

Claims 1-11, 13-36 and 38-42 are pending. Claims 1-11, 13-36 and 38-42 are rejected. Claims 12 and 37 were previously canceled. Claims 1-11, 13-36 and 38-42 remain pending in the case.

Claim Rejections – 35 USC § 101

Claims 5-20 are rejected under 35 USC 101 as not falling within one of the four statutory categories of invention. Claims 5 and 15 have been amended to explicitly show that the methods are performed by network devices at the calling endpoint and the called endpoint, respectively. The specification supports this amendment in several places, among them page 4, lines 3-7; and page 4, lines 13-20.

Applicant submits that these amendments overcome the rejections and request withdrawal of the rejection.

Claim Rejections – 35 USC § 112

Claims 1-11, 13-36 and 38-42 are rejected under 35 USC 112 as failing to comply with the enablement requirement.

With regard to claim 1, Applicant does not agree that the phrase, “call supplementary services including call completion on busy and call completion on no answer” indicates that both conditions are required to be met by the delay point. The two conditions are possible conditions within call supplementary services, call supplementary services are indicated by the delay point, but there is no requirement that the supplementary services that are indicated by the delay point are inclusive.

However, in order to progress this application, Applicant has clarified the last sentence of claim 1 to indicate that the supplementary services include one of call completion on busy and call completion on no answer.

Applicant submits that this amendment overcome the rejection under 35 USC 112, any previous rejection over the prior art, and requests allowance of claim 1 and its associated dependent claims 2-4, and 38-39.

With regard to claims 5, 9, 15, 21, 26, 31, 35 and 36 and their associated dependent claims, Applicant does not agree with several of the Examiner’s points. For example, the Examiner states that the calls of Figure 4 and Figure 5 are mutually exclusive, but this discussion is not relevant with regard to feature discovery. As stated in the specification, page 4, line 19

through page 5, line 9, feature discovery is a reason for which a call may be delayed, and therefore a situation in which delayed call establishment is desired. It is the existence of a delay point at all that indicates that supplementary services are available and prompts the discovery process.

However, in order to progress this application, Applicant has amended these claims. Claims 5 and 15 have been amended to require that the delay point indicates a point to which the call is to progress before delaying establishment of the call, set out in the specification at page 7, lines 1-9, and that the delayed call establishment request is one of either mandatory or desired, supported at the end of the same paragraph.

Applicant submits that these amendments place claim 5 in a form that is enabled by the specification, overcoming the rejection under 35 USC 112, and overcomes any previously made rejections over the cited art. Applicant requests allowance of claim 5 and its associated dependent claims 6-11, 13 and 14, and of claim 15 and its associated dependent claims 16-20.

Claims 21, 26, 31, 35 and 36 have been amended to clarify that the call request message includes feature discovery and that the delay point is a point to which the call should progress before delaying establishment of the call. This is enabled by the specification, as discussed above.

Applicant submits that these claims, as amended, and their associated dependent claims, are fully enabled by the specification and overcome any previous rejections over the cited art. Allowance of claims 21-36 and 40-42 is requested.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is requested to call the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Suite 400
Portland, OR 97204
503-222-3613